

In re Application of:  
Antonio Aguirrezabal OROZ  
Serial No. 10/530,863  
IA Filing Date: October 10, 2002  
For: TUBULAR CONTAINER COMPRISING TAMPER-...

Atty's Dkt: OROZ1

) Application Division  
) **ATTN: PCT**  
) Washington, D.C.  
) Confirmation No. 2256  
) Date: November 29, 2005

**LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC 371**

U.S. Patent and Trademark Office  
Customer Service Window  
Randolph Building, Mail Stop Missing Parts  
401 Dulany Street  
Alexandria, VA 22314

Sir:

The present communication is in response to the "NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371..." dated September 30, 2005. Attached hereto is/are:

- [XX] An executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title and priority information.  
[XX] Additional fees as calculated below:

[XX] Search fee		\$100.00
[XX] Examination fee		\$200.00
Surcharge of \$130.00 for furnishing the oath or declaration later than [ ] 20 [XX] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$130.00
Number of each additional 50 pages or fraction thereof (round up to a whole number)	RATE	
0	X \$250.00	
Number of Claims Previously Paid For	Number of Extra Claims	Rate
4- 20 = 0		X \$ 50.00
1- 3 = 0		X \$200.00
Multiple Dependent Claims (if applicable)		+ \$360.00
<b>TOTAL OF ABOVE CALCULATIONS</b>		\$430.00
Reduction of 1/2 for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27.		<\$ >
<b>SUBTOTAL</b>		\$430.00
Processing fee of \$130.00 for late furnishing of the English translation.		\$
<b>TOTAL NATIONAL FEE</b>		\$430.00

- [ ] Surcharge for late filing of the Declaration was paid on \_\_\_\_\_.  
[ ] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:

Small Entity

Response Filed Within	
[ ] First	\$ 60.00
[ ] Second	\$ 225.00
[ ] Third	\$ 510.00
[ ] Fourth	\$ 795.00
[ ] Fifth	\$1,080.00

month after time period set

Other Than Small Entity

Response Filed Within	
[ ] First	\$ 120.00
[ ] Second	\$ 450.00
[ ] Third	\$1,020.00
[ ] Fourth	\$1,590.00
[ ] Fifth	\$2,160.00

month after time period set

- [XX] Total fees enclosed: \$ 430.00  
[XX] Credit Card Payment Form, PTO-2038, authorizing payment the amount of \$ 430.00 is enclosed to cover the above fees.  
[XX] Conditional Petition for Extension of Time:  
If any extension of time for a response is required, applicant requests that this be considered a petition therefor.  
[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent

12/01/2005 HKAYP issue fees under 37 CFR 1.18.

01 FC:1633 200.00 DP  
02 FC:1641 100.00 DP  
03 FC:1617 130.00 DP

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

By:

Sheridan Neimark  
Registration No. 20,520



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

OCHA.

U.S. APPLICATION NUMBER NO. 10/530,863	FIRST NAMED APPLICANT Antonio Aguirrezabal Oroz	ATTY. DOCKET NO. OROZ1
---	--	---------------------------

INTERNATIONAL APPLICATION NO. PCT/ES02/00477
---

I.A. FILING DATE 10/10/2002	PRIORITY DATE
--------------------------------	---------------

1444  
BROWDY AND NEIMARK, P.L.L.C.  
624 NINTH STREET, NW  
SUITE 300  
WASHINGTON, DC 20001-5303

CONFIRMATION NO. 2256

371 FORMALITIES LETTER



\*OC000000017106451\*

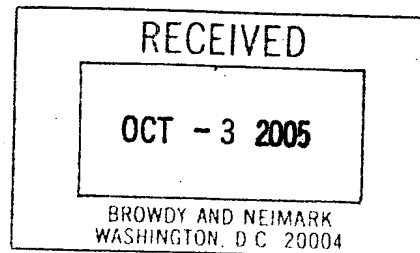
Date Mailed: 09/30/2005

MSP = 30N02005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/11/2005
- Copy of the International Search Report filed on 04/11/2005
- Request for Immediate Examination filed on 04/11/2005
- Specification filed on 04/11/2005
- Claims filed on 04/11/2005
- Abstracts filed on 04/11/2005
- Drawings filed on 04/11/2005



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAYA L LEWIS BALTIMORE

Telephone: (703) 308-9140 EXT 202

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/530,863	PCT/ES02/00477	OROZ1

FORM PCT/DO/EO/905 (371 Formalities Notice)